

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

TERRY LIGON #220217,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 3:05-CV-707-F
	)	
J. C. GILES, et al.,	)	
	)	
Respondents.	)	

**O R D E R**

On August 30, 2005, the Court erroneously accepted and filed a motion to dismiss petition. This motion is not properly before the court as it was submitted without permission of the court. *See Order of August 8, 2005 - Court Doc. No. 3* at 6 (“**no . . . motion to dismiss . . . may be filed by any party without permission of the court.**”). The aforementioned order further directed that “[i]f any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court [without the requisite permission having been granted], the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court.” *Id.* Accordingly, it is

ORDERED that the motion to dismiss received from the petitioner on August 30, 2005 be stricken from the file and returned to the petitioner for non-compliance with the order of August 8, 2005.

Done this 31<sup>st</sup> day of August, 2005.

/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE